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09400HB4782ham002

LRB094 18830 DRH 56641 a

1 AMENDMENT TO HOUSE BILL 4782

2 AMENDMENT NO. _____. Amend House Bill 4782, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by adding
6 Section 11-1429 as follows:

7 (625 ILCS 5/11-1429 new)

8 Sec. 11-1429. Excessive idling.

9 (a) The purpose of this law is to protect public health and
10 the environment by reducing emissions while conserving fuel and
11 maintaining adequate rest and safety of all drivers of diesel
12 vehicles.

13 (b) As used in this Section, "affected areas" means the
14 counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison,
15 St. Clair, and Monroe and the townships of Aux Sable and Goose
16 Lake in Grundy County and the township of Oswego in Kendall
17 County.

18 (c) A person that operates a motor vehicle operating on
19 diesel fuel in an affected area may not cause or allow the
20 motor vehicle, when it is not in motion, to idle for more than
21 a total of 10 minutes within any 60 minute period, except under
22 the following circumstances:

23 (1) the motor vehicle has a Gross Vehicle Weight Rating
24 of less than 8,000 pounds;

1 (2) the motor vehicle idles while forced to remain
2 motionless because of on-highway traffic, an official
3 traffic control device or signal, or at the direction of a
4 law enforcement official;

5 (3) the motor vehicle idles when operating defrosters,
6 heaters, air conditioners, or other equipment solely to
7 prevent a safety or health emergency;

8 (4) a police, fire, ambulance, public safety, other
9 emergency or law enforcement motor vehicle, or any motor
10 vehicle used in an emergency capacity, idles while in an
11 emergency or training mode and not for the convenience of
12 the vehicle operator;

13 (5) the primary propulsion engine idles for
14 maintenance, servicing, repairing, or diagnostic purposes
15 if idling is necessary for such activity;

16 (6) a motor vehicle idles as part of a government
17 inspection to verify that all equipment is in good working
18 order, provided idling is required as part of the
19 inspection;

20 (7) when idling of the motor vehicle is required to
21 operate auxiliary equipment to accomplish the intended use
22 of the vehicle (such as loading, unloading, mixing, or
23 processing cargo; controlling cargo temperature;
24 construction operations; lumbering operations; oil or gas
25 well servicing; or farming operations), provided that this
26 exemption does not apply when the vehicle is idling solely
27 for cabin comfort or to operate non-essential equipment
28 such as air conditioning, heating, microwave ovens, or
29 televisions;

30 (8) an armored motor vehicle idles when a person
31 remains inside the vehicle to guard the contents, or while
32 the vehicle is being loaded or unloaded;

33 (9) a bus idles a maximum of 15 minutes in any 60
34 minute period to maintain passenger comfort while

1 non-driver passengers are on board;

2 (10) if the motor vehicle has a sleeping berth, when
3 the operator is occupying the vehicle during a rest or
4 sleep period and idling of the vehicle is required to
5 operate air conditioning or heating;

6 (11) when the motor vehicle idles due to mechanical
7 difficulties over which the operator has no control;

8 (12) the motor vehicle is used as airport ground
9 support equipment, including, but not limited to, motor
10 vehicles operated on the air side of the airport terminal
11 to service or supply aircraft;

12 (13) the motor vehicle is (i) a bus owned by a public
13 transit authority and (ii) being operated on a designated
14 bus route or on a street or highway between designated bus
15 routes for the provision of public transportation;

16 (14) the motor vehicle is an implement of husbandry
17 exempt from registration under subdivision A(2) of Section
18 3-402 of this Code;

19 (15) the motor vehicle is owned by an electric utility
20 and is operated for electricity generation or hydraulic
21 pressure to power equipment necessary in the restoration,
22 repair, modification or installation of electric utility
23 service; or

24 (16) the outdoor temperature is less than 32 degrees
25 Fahrenheit or greater than 80 degrees Fahrenheit.

26 (d) When the outdoor temperature is 32 degrees Fahrenheit
27 or higher and 80 degrees Fahrenheit or lower, a person who
28 operates a motor vehicle operating on diesel fuel in an
29 affected area may not cause or allow the motor vehicle to idle
30 for a period greater than 30 minutes in any 60 minute period
31 while waiting to weigh, load, or unload cargo or freight,
32 unless the vehicle is in a line of vehicles that regularly and
33 periodically moves forward.

34 (e) This Section does not prohibit the operation of an

1 auxiliary power unit or generator set as an alternative to
2 idling the main engine of a motor vehicle operating on diesel
3 fuel.

4 (f) This Section does not apply to the owner of a motor
5 vehicle rented or leased to another entity or person operating
6 the vehicle.

7 (g) Any person convicted of any violation of this Section
8 is guilty of a petty offense and shall be fined \$50 for the
9 first conviction and \$150 for a second or subsequent conviction
10 within any 12 month period.

11 Section 99. Effective date. This Act takes effect July 1,
12 2006.".